IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.14978 of 2007

Dated: August 13, 2007

Between:

Magi Guravaiah, S/o. Venkaiah, aged about
29 years, School Assistant, Z.P. High School,
Ammanabolu, Alair Mandal, Nalgonda District.

… Petitioner

And

The Registrar, Osmania University, Hyderabad,
And others.

… Respondents

Order:

This writ petition has been filed seeking Mandamus to declare the action of the respondents in conducting counseling at 8.30 A.M. on 07-07-2007 for admission into M.Sc. (Maths) course instead of 2.00. p.m. as mentioned in the schedule and in denying seat to the petitioner in the said course as illegal and arbitrary.

2. I have heard Mr. K. Ravi, learned counsel for the petitioner and Mr. Deepak Bhattacharjee, learned Standing Counsel, appearing for the respondents.

3. The Directorate of Admissions, Osmania University, issued notification in April, 2007 calling for applications for admission into Postgraduate courses from general as well as in-service candidates. It is stated that petitioner made an application for admission into M.Sc. (Maths) as an in-service candidate, appeared for entrance examination on 06-06-2007 and secured common rank of '684' and 1st rank among in-service candidates.

4. The case of the petitioner is that Director of Admissions, Osmania University, published the admission schedule in the newspapers, as per which, the counseling was scheduled at 2.00 p.m. on 07-07-2007 for the candidates who secured ranks from 601 to 1400. The grievance of the petitioner is that though he was present at the venue of counseling at 11.00 a.m. on 07-07-2007, as per the information furnished to him, he was denied admission on the ground that counseling for in-service candidates started at 8.30 a.m. and completed by 9.30 a.m.

5. Respondents have filed counter affidavit stating that the counseling schedule for all categories of admissions was put in the website; however for the candidates seeking admission in in-service quota, letters were addressed and accordingly letter dated 28-06-2007 was addressed to the petitioner requesting him to attend for counseling on 07-07-2007 at 8.00 a.m. at Commerce Building, Basheerbagh, which was sent through the Department of Posts, however, he did not appear at the time stipulated. It is further stated that as the petitioner failed to appear for counseling, the seat reserved under the quota of in-

service candidates was allotted to one Mr. Gaddam Sathaiah, who secured third rank among in-service candidates.

6. It is not denied that in the information furnished in the website, the date and time of counseling notified for all categories of candidates who secured ranks from 601 to 1400 was 2.00 p.m., on 07-07-2007 and so far as in-service candidates are concerned, the date and time of counseling was notified as 8.00 a.m. on 07-07-2007, which was communicated to the candidates by post on 28-06-2007. While it is the case of the petitioner he did not receive any such communication, however, it is stated by the respondents in the counter affidavit that letter dated 28-06-2007 was sent to the petitioner through Post, along with other candidates. In such circumstances, the presumption of law is that the letter must have been delivered to the petitioner. As much as only one seat is reserved for in-service candidates and the same has been filled up by a candidate who secured third rank among in-service candidates owing to the absence of the petitioner on the date of counseling, no direction as sought for can be issued at this stage.

7. The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

_____

JUSTICE R. SUBHASH REDDY.

August 13, 2007
MRR